

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO. 3:17-131
v.	:	
	:	(JUDGE MANNION)
PATRICK SUTHERLAND,	:	
	:	
Defendant	:	

ORDER

Based on the court's memorandum issued this same day, **IT IS
HEREBY ORDERED THAT:**

- (1)** The defendant Patrick Sutherland's letter Motion, **(Doc. 171)**, to the extent that it challenges the BOP's sentence computation, is **DISMISSED WITHOUT PREJUDICE** to file a petition for writ of habeas corpus pursuant to 28 U.S.C. §2241 in the U.S. District Court for the District of Connecticut.
- (2)** To the extent defendant Sutherland's Motion is construed as a motion for compassionate release, it is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction since he has failed to comply with §3582(c)(1)(A)'s exhaustion requirement.

(3) To the extent defendant Sutherland's motion can be alternatively construed as a motion for immediate release to home confinement under the CARES Act, it is **DISMISSED** since the court lacks authority to grant such relief under the Act.

s/ Malachy E. Mannion

MALACHY E. MANNION

United States District Judge

DATE: June 16, 2020

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